

POLICY NUMBER: 1.9**POLICY NAME: PARTNERSHIP AGREEMENTS****BACKGROUND:**

One obstacle to success in partnering arrangements is the absence of a clear agreement between those involved. Such an agreement should clearly set out the policy and resource framework within which the arrangement is to operate and should set out its purpose, objectives and operating principles. An essential component of such a document is a clear statement of the specific roles, responsibilities, authorities and accountabilities of the various participants. In a well-designed agreement these roles should match the strengths of the respective partners. In the case of project-based arrangements, the agreement should also incorporate a framework for managing the project outcomes.

PURPOSE:

The purpose of this policy is to provide guidance for the development of written or verbal agreements with new or established collaborations, partnerships and coalitions involving communities, agencies and organizations necessary to support the mission, goals and objectives of the Metropolitan Public Health Department, while ensuring that MPHD resources are protected and maximized and that requirements of the sponsoring agency are met for sponsored activities. The following are the basic premises of establishing partnership agreements.

1. All written and verbal agreements (unless noted elsewhere as an exception) between the MPHD and a third party (external) entity must be reviewed and signed by the appropriate Line of Business Director before any commitments are made.
2. Under no circumstances are MPHD staff members to sign any agreements with an external entity since they do not have the legal authority to commit MPHD to the terms that might be included in the documents.
3. Under no circumstances are MPHD staff members to make oral (non-written) agreements with an external entity or to begin programs requiring written agreements prior to a written agreement being finalized.
4. Any MPHD staff member making or signing such agreements without proper authorization may be held personally liable for costs incurred under the agreement or damages that might result. MPHD staff may place themselves at potentially great financial risk by entering into such agreements - written or oral - on behalf of MPHD without express prior authorization in writing.
5. Some agreements may be sufficiently complex and require additional review by MPHD legal council and the Department Director (determined by the Line of Business Director). Depending upon the level of resource obligation, it may also be required to obtain approval by the MPHD Director of Finance before the agreement is finalized. These additional steps of review and approval will obviously add to the time required for final approval and authorization.

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6. Any actual or perceived conflict of interest by either the person initiating the partnership or by an individual approving the request must be disclosed to the Line of Business Director prior to a commitment to the partnership. This includes, but is not limited to, any circumstances which may provide financial gain to the MPHD employee or a member of his or her family or household or to a business partner.

SCOPE OF THIS POLICY:

This policy covers all verbal or written offers committing resources of MPHD, including staff, buildings, funds, materials, equipment, office space, program services or vehicle use which increase the existing level of effort of MPHD, its staff or other resources. Examples of written agreements include grant applications, support letters or letters of commitment for grant applications, Memorandum of Agreement (MOA), Memorandum of Understanding (MOU) and/or any implied commitment for resources beyond already approved programs, services or service levels. Covered verbal agreements include those which increase the usual and customary level of effort of MPHD, its staff or other resources, at fairs, parades, educational forums, conferences, or other health or non health-related events.

Agreements not covered by this policy are resources and activities of MPHD that fall within the scope of existing programs or projects; federal, state or local mandates or on-going activities described in the scope of work of approved contracts or grants. Existing written agreements otherwise covered by the scope of this policy which are already in existence are exempt from this policy at the time of its adoption and until such agreements terminate or are considered for renewal.

PROCESS FOR IMPLEMENTATION:

1. Initiating employee attaches the written agreement or a brief description of the purpose, scope, resources, and duration of the proposed agreement to this form and submits it to their Line of Business (LOB) Director.
2. Initiating LOB Director reviews the proposed agreement or description of the proposed agreement.
3. If the Initiating LOB Director approves, she/he signs and obtains all other required signatures before submitting to the Director for final approval.
4. Once approved, the Initiating LOB Director will share news of the agreement with the EMT.

Approval Signatures:

Line of Business Directors are authorized as the final signature on the following types of agreements:

- Commitments involving employee time only
- Commitments of materials and resources already paid or budgeted for
- Continuation of existing partnerships, collaborations or coalitions

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- Appointment or reappointment of employees as representatives of MPHD to existing boards, coalitions or committees

Agreements requiring signatures from MPHD fiscal, legal and the Office of the Director include:

- Grant applications whether a continuation or new initiative
- Receipt of funds or resources from outside agencies not ordinarily a part of MPHD's routine delivery of services
- Contribution of funds or materials by MPHD to outside agencies not ordinarily part of MPHD's routine delivery of services
- High profile appointments of staff to outside agencies or professional associations
- Letters of support or commitment made to outside agencies which are attempting to obtain funding or advance political or social agendas or which might conflict or appear to conflict with the mission or objectives of the MPHD

ALIGNMENT CHECKLIST (LOB Director to complete)

	YES	NO
1. The written agreement or brief description is attached.	___	___
2. All known partners involved in the collaboration are listed in the attachment.	___	___
3. Health Department Lines of Business and/or Programs required to participate in or that will be directly impacted by this partnership are listed in the attachment.	___	___
4. The mission and values of the prospective partner or partners are compatible with the mission and values of the Health Department.	___	___
5. The objective of the collaborating group supports the mission and/or goals of the Health Department.	___	___
6. Partnering organizations are not in violation of any known federal regulations (such as Title VI or HIPAA).	___	___
7. Projected expectations and/or obligations of the Health Department are clearly articulated (cash contributions, personnel, space, equipment, etc.).	___	___
8. Perceived benefits of the partnership justify the cost to the Health Department.	___	___

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9. Term of the agreement is clearly stated.

10. Potential liabilities (legal and otherwise) are determined to be manageable.

APPROVAL SIGNATURES:

Initiating Employee Date

Initiating Division Director Date

Initiating LOB Director Date

Legal Review Date

Participating LOB Directors

Finance Director Date

Director of Health

Date